

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

This document relates to:

ELLA L. WREN
Individual Case No. 3:05-cv-05383-CRB

) Case No. M:03-CV-01699-CRB

) MDL No. 1699

) JUDGE BREYER

) **STIPULATION AND ORDER OF**
) **DISMISSAL ONLY AS TO CASE**
) **NUMBER 4:05-cv-01010-FJG**
) **ORIGINALLY FILED IN THE**
) **WESTERN DISTRICT OF MISSOURI**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff and counsel for Defendants that the Complaint of Plaintiff Ella L. Wren, Case Number 4:05-cv-01010-FJG, originally filed in the Western District of Missouri on October 21, 2005 and later transferred to MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales Practices and Products Liability Litigation*, with the assigned individual case number 3:05-cv-05383-CRB, may be and is hereby dismissed without prejudice.

This Stipulation and Order of Dismissal does not relate to nor does it have any effect upon the following action within which Ella L. Wren is also a named plaintiff: Ella L. Wren v. G.D. Searle & Co., Case Number CV05-6265-AHM (VBKx) (a "Celebrex" complaint), originally filed in the Central District of California.

The parties hereby stipulate that Plaintiff will proceed in the MDL only through the

1 California action, and jurisdiction and venue for the trial of the action will be proper in whichever of
2 the following is selected by Pfizer: San Francisco, Los Angeles, Missouri.

3 The parties shall each bear their own costs.

4 Dated: April 21, 2006

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27 Dated: April ~~21~~²⁴, 2006

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Defendants' Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: May 12, 2006

HONORABLE

